

**DECLARATION FOR UTILITY OR
DESIGN**

PATENT APPLICATION

(37 CFR 1.63), MAR 05 2002

Declaration Submitted with Initial Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number

1786

First Named Inventor

Mitchell A. Avery

COMPLETE IF KNOWN

Application Number

09/981,312

Filing Date

10/15/2001

Art Unit

Examiner Name

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYNTHESIS OF EPOTHILONES AND RELATED ANALOGS**COPY OF PAPERS
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(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY)

10/15/2001

as United States Application Number or PCT International

Application Number **09/981,312** and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

MAR 05 2002

PTO/SB/01 (10-01)

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DECLARATION — Utility or Design Patent Application

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR : A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Mitchell A.	Family Name or Surname	Avery
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Inventor's Signature	Mitchell A. Avery		
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2-1-02

Oxford	Mississippi	U.S.A.	U.S.A.
Residence: City	State	Country	Citizenship

303 Woodland Hills Drive

Mailing Address	Oxford	Mississippi	38655	U.S.A.
	City	State	ZIP	Country

NAME OF SECOND INVENTOR: A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Family Name or Surname
---	---------------------------

Inventor's Signature	Date
----------------------	------

Residence: City	State	Country	Citizenship
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Mailing Address	City	State	ZIP	Country
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Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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PTO/SB/81 (02-03)

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POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT

Application Number	09/981,312
Filing Date	October 15, 2001
First Named Inventor	Mitchell A. Avery
Title	SYNTHESIS OF EPOTHILONES AND RELATED ANALOGS
Group Art Unit	
Examiner Name	
Attorney Docket Number	1786

HG

I hereby appoint:

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OR

Practitioner(s) named below:

Name	Registration Number

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as my/our attorney(s) or agent(s) to prosecute the application identified above and to conduct business in the United States Patent and Trademark Office connected therewith.

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I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Dr. Alice M. Clark, Vice Chancellor for Research and Sponsored Programs
Signature	Alice M. Clark
Date	Mar. 4, 2002

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

Total of 1 forms are submitted.

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Mitchell A. Avery

Application No./Patent No.: 09/981,312 Filed/Issue Date: October 15, 2001

Entitled: SYNTHESIS OF EPOTHILONES AND RELATED ANALOGS

The University of Mississippi, a University

(Name of Assignee)

(Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

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states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.

MAR 12 2002

The extent (by, percentage) of its ownership interest is _____ % TECH CENTER 1600/2900

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Feb 4, 2002

Date

Dr. Alice M. Clark

Typed or printed name

Alice M. Clark

Signature

Vice Chancellor for Research and Sponsored

Title

Programs

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ASSIGNMENT

WHEREAS, Mitchell A. Avery (hereinafter referred to as "Avery") of 303 Woodland Hills Drive, Oxford, Mississippi 38655 has invented and owns a certain new and useful invention for which a provisional application for Letters Patent of the United States was filed and is designated in the U.S. Patent Office as Application No. 60/240,488, filed October 13, 2000, entitled **SYNTHESIS OF EPOTHILONES AND RELATED ANALOGS**;

WHEREAS, Avery has invented and owns a certain new and useful invention for which application for Letters Patent of the United States was filed and is designated in the U.S. Patent Office as Application No. 09/981,312, filed October 15, 2001, entitled **SYNTHESIS OF EPOTHILONES AND RELATED ANALOGS**, said application being identified as Docket Number 1786 in the files of the law offices of Timothy J. Martin, P.C.;

WHEREAS, Avery has invented a certain new and useful invention for which application for patent under the provisions of the Patent Cooperation Treaty was filed and is designated in the U.S. Patent Office as PCT Application No. PCT/US01/32225, filed October 15, 2001, entitled **SYNTHESIS OF EPOTHILONES AND RELATED ANALOGS**, said application being identified as Docket Number 1786 PCT in the files of the law offices of Timothy J. Martin, P.C.;

WHEREAS, The University of Mississippi, a non-profit organization located at 1009 NCNPR, University, Mississippi 38677 ("University of Mississippi") is desirous of acquiring the entire right, title and interest therein and thereto;

NOW, THEREFORE, be it known that for and in consideration of the sum of One Dollar (\$1.00) and certain other good and valuable consideration to Avery in hand paid, the receipt of which is hereby acknowledged, the said Avery by these presents does sell, assign and transfer unto the said University of Mississippi, its successors, legal representatives and assigns, his entire right, title and interest in and to the said invention, the aforesaid applications and any and all applications derived therefrom (including but not limited to continuations, divisionals, continuations-in-part, continued prosecution applications (CPAs), and requests for continued examination applications (RCEs)), for the territory of the United States of America and for all foreign countries and to all Letters Patents and reissues thereof and extensions to be obtained therefor. Avery further agrees to cooperate with the University of Mississippi in the obtaining

and sustaining of any and all such Letters Patents, but at the expense of the University of Mississippi. The University of Mississippi hereby acknowledges and accepts the sale, assignment and transfer of the same.

Avery further hereby assigns and agrees to assign to the University of Mississippi the entire right, title and interest, domestic and foreign, which Avery may have in any discoveries, improvements and inventions made, conceived or developed by Avery in connection with the development of said invention and does further agree to execute all applications for patent, assignments and other appropriate documents and to perform all things necessary to make this Assignment effective and to perfect all right, title and interest in and to said discoveries, improvements or inventions in said University of Mississippi. The University of Mississippi hereby acknowledges and accepts the assignment and agreement to assign the same.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment to the University of Mississippi, its successors, legal representatives and assigns of the entire right, title and interest therein.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals on the respective date(s) set forth hereinafter.

Date: 2-1-02 By:

Mitchell A. Avery
Mitchell A. Avery

Date: 2-4-02 By:

Alice M. Clark
Dr. Alice M. Clark
Vice Chancellor for Research and Sponsored Programs
The University of Mississippi

STATE OF Louisiana)
COUNTY OF Lafayette) ss.

Before me, a Notary Public in and for the said County and State, personally appeared Mitchell A. Avery, who is known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same for the purposes and considerations therein expressed this 1st day of January, 2001.

(SEAL)

Karen J. Hollinger (Biglare)
Notary Public
203 Ross Avenue
Address
Oxford, MS 38655
City, State and Zip Code

My Commission Expires: NOVEMBER 5, 2004

STATE OF Louisiana)
COUNTY OF Lafayette) ss.

Before me, a Notary Public in and for the said County and State, personally appeared Alice M. Clark, who is known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that she executed the same for the purposes and considerations therein expressed this 11 day of January, 2001.

(SEAL)

Karen J. Hollinger (Biglare)
Notary Public
203 Ross Avenue
Address
Oxford, MS 38655
City, State and Zip Code

My Commission Expires: NOVEMBER 5, 2004